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Attorneys for Plaintiff United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

| | | | |
|----|---|---|--------------------------------------|
| 18 | UNITED STATES OF AMERICA, |) | Civil No. C-07-6045 SC |
| 19 | Plaintiff, |) | (AND RELATED CASES: |
| 20 | v. |) | C-07-5800 SC; C-07-5926 SC; |
| 21 | |) | C-08-2052 SC) |
| 22 | M/V COSCO BUSAN, LR/IMO Ship No. |) | IN ADMIRALTY |
| 23 | 9231743, her engines, apparel, electronics, tackle, |) | (PROPOSED) |
| 24 | boats, appurtenances, etc., in rem, REGAL STONE |) | ORDER REQUIRING APPEARANCE OF |
| 25 | LIMITED, FLEET MANAGEMENT LTD., and |) | COSCO BUSAN CREW MEMBERS |
| 26 | JOHN COTA, in personam, |) | SHUN BIAO ZHAO, KONG XIANG HU, |
| 27 | Defendants. |) | LIANG XIAN ZHENG & THEIR |
| 28 | |) | COUNSEL AT CASE MANAGEMENT |
| | |) | CONFERENCE ON MAY 9, 2008, 10:00 |
| | |) | <u>A.M., COURTROOM 1, 17TH FLOOR</u> |

1 WHEREFORE, a discovery dispute presently existing regarding the taking of depositions in
2 this matter, and counsel having been unsuccessful in their good faith attempts to resolve the matter
3 without the assistance of the Court,

4 IT IS ORDERED that COSCO BUSAN crewmembers Shun Bia Zhao, Kong Xiang Hu,
5 Liang Xian Zheng (the "Witnesses"), and their counsel, Jonathan Howden, of Thelen Reid Brown
6 Raysman & Steiner LLP, appear before the Court at the Case Management Conference to be held
7 by the Court on Friday, May 9, 2008, at 10:00 a.m., Courtroom 1, 17th Floor, 450 Golden Gate Ave.,
8 San Francisco, California, at which time the Court shall hear any argument of the parties, the said
9 Witnesses, or the said Witness' counsel, as to whether, when, and under what conditions civil
10 depositions of the Witnesses may proceed; it is further

11 ORDERED that if counsel for the Witnesses represents to the Court at the foregoing Case
12 Management Conference and discovery hearing that he has the express authority of his clients
13 whereby his clients agree to be bound by any Orders of the Court concerning the civil depositions,
14 attendance in Court of any of the Witnesses who so agree to be bound shall be excused; and it is
15 further

16 ORDERED that counsel for the United States immediately shall cause this Order to be served
17 by facsimile and by mail on counsel for the parties and counsel for the Witnesses; and it is further

18 ORDERED that upon the receipt of this Order by counsel for the Witnesses, said counsel for
19 the Witnesses immediately shall cause the Order to be provided to his clients.

20 IT IS SO ORDERED.

21
22 Dated: May 7, 2008.

23
24 

25 UNITED STATES DISTRICT JUDGE

1 PRESENTED BY:

2 GREGORY G. KATSAS
Acting Assistant Attorney General

3
4 /s/ R. Michael Underhill
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12
13 Attorneys for Plaintiff
United States of America

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 7, 2008, I served a copy of the foregoing Order Requiring Appearance and Certificate of Service by first-class mail and fax, postage prepaid, to:

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and COSCO BUSAN, in rem

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